REMARKS

Claims 1, 2, 5, 7, 9, 11, 14, 15, 17-20, 23 and 24 are amended. Claims 1-27 remain in the Application. Reconsideration of the pending claims is respectfully requested in view of the above amendment and the following remarks.

III.   Claims Rejected Under 35 U.S.C. § 103

A.   Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,898,762 issued to Ellis ("Ellis") (Ellis incorporated by reference Thomas U.S. 2005/0149964, which is included in its entirety).

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest each of the elements of a claim. Claim 1 is amended to recite a computer implemented method comprising the elements of,

> ....receiving an automated feedback data on the broadcast product from each of the plurality of clients, wherein the automated feedback data is generated automatically by each client without a user of the client providing a preference, the receiving of the automated feedback data including that each client generates at least one rating to indicate the user's interest level with respect to each of the features;
> processing a feedback summary based on the automated feedback data received from the plurality of clients to prepare a measure of a popularity of each feature of the broadcast product; and
> inferring, based on the feedback summary, demand for a potential broadcast product that is yet to be scheduled for broadcasting over the broadcast medium.

Applicant submits that amended Claim 1 is non-obvious over Ellis.

Ellis teaches a "client-server interactive television program guide system ... The interactive television program guide **provides users with an opportunity to define expressions** that are processed by the program guide server" (emphasis added) (Ellis, Abstract). More specifically, column 20, lines 32-37 of Ellis contains a prerequisite that:

> **a user** has run the expression illustrated in FIGS. 9a and 9b, and has **set the user profiles** of FIGS. 13a-13f, program guide server 25 may determine that the movie Armageddon meets the criteria of the expression that was run, and also meets the criteria of the **current user profile.** (emphasis added).

Ellis also refers to these user profiles as "user preference profiles" (col. 2, line 21). Because a user in Ellis has to manually set a user preference profile, the feedback data in Ellis is not the claimed **automated feedback data**, which is "generated automatically by each client without a user of the client providing a preference."

Moreover, Ellis does not teach or suggest the elements of "processing **a feedback summary** based on the automated feedback data received from the plurality of **clients** to prepare a measure of a popularity of each feature of the broadcast product" (emphasis added). Rather, in Ellis, a user's feedback data is used to determine the programs to be recommended to the same user. Column 20, lines 42-45 of Ellis is relied on by the Examiner to disclose "processing a consumer feedback data summary based on the feedback data on the broadcast product." However, the quoted passage merely discloses determining the preference of a user based on the user profiles set by the same user. Ellis does not disclose the concept of processing a **summary** based on data received from **clients** to **prepare a measure** of a popularity of each feature of the broadcast product.

Additionally, Ellis does not disclose "inferring, based on the feedback summary, demand for a potential broadcast product that is yet to be scheduled for broadcasting over the broadcast medium." The Examiner indicates that "it is old and well known in the art to infer demand for future products based on what consumers like" (page 7 of the Final Office Action). However, the Examiner has not established that inferring demand for a **potential** broadcast product based on **a feedback summary** (which in turned is based on **automated feedback data** received from the **clients**) is known in the art. As mentioned above, Ellis does not teach or suggest the automated feedback data and the feedback summary. Thus, Ellis does not teach or suggest inferring demand for a potential broadcast product based on the feedback summary and the automated feedback data. Further, in Ellis, the movies recommended to the user are existing broadcast products on the market and not **potential** broadcast products. Consequently, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of Claim 1.

Regarding independent Claims 14 and 23, these claims are amended to include similar limitations of amended Claim 1. Thus, these claims are non-obvious over Ellis for the same reasons mentioned above in regard to Claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of Claims 1, 14 and 23.

As for Claims 2-13, 15-22 and 24-27, these claims depend from Claims 1, 14 and 23, respectively, and incorporate all the limitations thereof. Thus, for at least the reasons mentioned above, these claims are non-obvious over Ellis. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of these dependent claims.
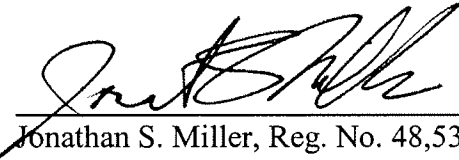
CONCLUSION

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.
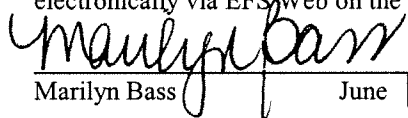
Respectfully submitted,

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Dated: ___June _11_, 2007

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I hereby certify that this correspondence is being submitted electronically via EFS-Web on the date shown below

Marilyn Bass   June 12, 2007